

IN THE CLAIMS

Please amend the claims as follows:

1. (currently amended) A data recording/reproducing device provided with a processor for receiving data including video data, first additional information to control a copy of the video data and second additional information to control a type of recording and/or reproducing the video data and for processing the received data, the processor having a recording portion capable of carrying out recording in a permanent recording mode for permanently recording the received video data or in a temporary recording mode for temporarily recording the received video data, characterized in that said processor comprises:

a means for determining whether ~~or not~~ the video data is to be recorded with changing from the permanent recording mode to the temporary recording mode, without recording being performed in the permanent recording mode, when never copy information is received as the first additional information and information of the permanent recording mode is received as the second additional information; and

a means for instructing to record the video data on the recording portion in the temporary recording mode when it is determined by said determining means to record the video data with

changing to the temporary recording mode.

2. (currently amended) A The data recording/reproducing device as claimed in claim 1, characterized in that the video data is analog data.

3. (currently amended) A The data recording/reproducing device as claimed in claim 1-~~or 2~~, characterized in that said processor has an ability to perform recording and reproducing at the same time, and further comprises a means for instructing to start reproducing the video data temporarily recorded on the recording portion before the end of recording in the temporary recording mode when the change from the permanent recording mode to the temporary recording mode is made and a means for erasing the video data in the recording portion immediately after information about stop of storing in the temporary recording mode is received.

4. (currently amended) A data processing method including a ~~processing step of~~ processing input data including video data, first additional information to control a copy of the video data and second additional information to control a type of recording and/or reproducing the video data, in which ~~processing step~~ recording can be carried out in a permanent recording mode for

permanently recording the received video data or in a temporary recording mode for temporarily recording the received video data, characterized in that said processing ~~step~~ includes ~~the steps of~~:

determining whether or not the video data is to be recorded with changing from the permanent recording mode to the temporary recording mode, without recording being performed in the permanent recording mode, when never copy information is received as the first additional information and information of the permanent recording mode is received as the second additional information; and

instructing to record the video data in the temporary recording mode when it is determined ~~by said determining step~~ to record the video data with changing to the temporary recording mode.

5. (currently amended) A program operable on a computer for processing data including video data, first additional information to control a copy of the video data and second additional information to control a type of recording and/or reproducing of the video data, characterized in that said program comprises the functions for:

determining whether ~~or not~~ the video data is to be recorded with changing from a permanent recording mode to a temporary

recording mode, without recording being performed in the permanent recording mode, when never copy information is received as the first additional information and information of the permanent recording mode is received as the second additional information; and

instructing to record the video data in the temporary recording mode when it is determined ~~by said determining function~~ to record the video data with changing to the temporary recording mode.